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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/692,379

10/23/2003

Robert Seseek

200311875-1

8439

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06/10/2009

HEWLETT PACKARD COMPANY  
P O BOX 272400, 3404 E. HARMONY ROAD  
INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

GARCIA, GABRIEL I

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

06/10/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM

ipa.mail@hp.com

jessica.l.fusek@hp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/692,379	<b>Applicant(s)</b> SESEK ET AL.	
	<b>Examiner</b> GABRIEL I. GARCIA	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

**DETAILED ACTION**

1. In view of the appeal brief filed on 3/10/09, PROSECUTION IS HEREBY REOPENED. New grounds of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.

2. This application has been examined. Applicant's arguments, see Appeal brief, filed on 3/10/09, with respect to the rejection(s) of claim(s) 1-18 and 25 under Roosen et al. (6,618,163) have been fully considered and are persuasive. Therefore, the final rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Oyama (20030053128). Claims 1-18 and 25 are pending in this application.

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***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 1, (and therefore its dependent claims) the phrase "present status" makes the claim indefinite. it is not clear how the computer system can predict the present status of the job queue. Clarification or correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-18 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Estavillo et al. (2002/0046238).

With regard to claim 1, Estavillo et al. teaches a method in a computer (100) system for communicating the present status (e.g. read on the abstract, [0003] [0006] [0010] [0011] and figs. 1-11) of a job queue (e.g. [0009] [0049] [00079] and claim 2)s a plurality of print jobs (e.g. [0049] [0059] and fig. 11) , comprising: controlling a display device to display a plurality of images (reads on fig. 11) ; and wherein each image is a print preview image of a different one of the plurality of print jobs in the job (reads on fig. 11, and [0049] [0093] ,clearly paragraph [0049] describe how print jobs are stored in a job queue and paragraph [0093] clearly teach how the pending jobs (or waiting to be printed) are displayed as depicted by fig. 11).

With regard to claim 2, Estavillo et al. teaches wherein the plurality of images are displayed simultaneously (see fig. 11, clearly shows how different images are displayed).

With regard to claim 3, Estavillo et al. teaches wherein the plurality of images are displayed simultaneously and the images are displayed in an arrangement indicative of an order the plurality of jobs are presently lined up in the queue (reads on figs. 8 and 11, which displaying the jobs to be printed and acceptance date) .

With regard to claim 4, Estavillo et al. teaches receiving a request to line up the jobs in the job queue in a different order (e.g. col. 7, lines 57-61); in response to the request, rearranging the jobs in the job queue so that the jobs are lined up in the different order;

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and in response to the request, controlling the display device to display the images in a modified arrangement, wherein the modified arrangement indicates the jobs are lined up in the different order (e.g. reads on [0042] and fig. 8, which allow the user to select a print job and move or delete the print job, therefore, changing the printing order).

With regard to claim 5, Estavillo et al. further teaches receiving a request to view multiple pages of a selected one of the images, wherein the selected image is a print preview image of a single page of a first job from the plurality of jobs; and in response to the request, controlling the display device to display a print preview image of multiple pages of the first job (e.g. reads on fig. 11, which depict how three documents contain can contain 15 pages, and different print jobs can contain a different number of pages).

With regard to claim 6, Estavillo et al. further teaches wherein the method is performed by a computer device coupled to a printing device over a communication link; and wherein the job queue services the printing device (reads on figs. 1-5).

With regard to claim 7, Estavillo et al. further teaches wherein the method is performed by a printing device and the display device is local to the printing device (reads on fig 3, which depicts display device (503) is local to a printing device 511). 1-12).

With regard to claim 8, Estavillo et al. further teaches wherein the controlling step is not performed until at least one personal identification number (PIN) is received (e.g. [0048]).

With regard to claim 9, Estavillo et al. further teaches wherein the request is received by a user dragging and dropping at least one of the displayed images(e.g. inherently reads on fig. 11, which depicts how a selection of a job can be drag (or selected) and drop (or deleted)).

With regard to claims 10-18 and 25, the limitations of claims 10-28 are covered by the limitations of claims 1-9 above.

### Conclusion

5. Applicant's arguments, see appeal brief, filed 3/10/09, with respect to pending claims have been fully considered and are persuasive. The previous rejection of pending claims has been withdrawn.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is 571-272-7434. The examiner can normally be reached on M-Th 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gabriel I Garcia/

Primary Examiner, Art Unit 2625

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625

Gabriel I. Garcia

Primary Examiner

December 22, 2008

Edward Coles

Supervisory Patent Examiner

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